HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION No.14669 OF 2007

Between:

M/s. Saipem (Portugal) Comercio Martimo Su Lda.,
Mumbai,
represented by its Authorised Signatory, Mr. Ketan
Vakharia. …Petitioner

And

The Commercial Tax Officer,
Kakinada Circle, Kakinada
and two others. ...Respondents

: O R D E R :

Counsel for the petitioner : Sri S.R. Ashok,
Senior Advocate, assisted by
Sri Bhaskar Reddy
Vemireddy.
Counsel for the respondents : Sri K. Raji Reddy,
Government Pleader for Commercial
Taxes.

30th July, 2007

Per G.S.SINGHVI, C.J.

Feeling aggrieved by order dated 02-7-2007 passed by Commercial Tax Officer, Kakinada Circle, Kakinada whereby he attached its property and withheld a sum of Rs.22,06,75,319/-, the petitioner has filed this petition under Article 226 of the Constitution of India.

At the hearing, Sri S.R. Ashok, learned Senior Counsel appearing for the petitioner made a statement that after filing of this petition, the competent authority has passed assessment order on 19-7-2007, which has been challenged by the petitioner in Writ Petition No.16040 of 2007. The learned Senior Counsel also gave out that operation of the order of assessment has been suspended by this Court on 26-7-2007.

Learned Government Pleader for Commercial Taxes says that in view of passing of the assessment order, the provisional attachment of the petitioner's property does not survive.

In view of the statements made by the learned counsel, the writ petition is disposed of as infructuous.

As a sequel to disposal of the writ petition as infructuous, WPMP. No.18438 of 2007 filed by the petitioner for interim relief is also disposed of as infructuous.

G.S. SINGHVI, C.J.

30th July, 2007

C.V. NAGARJUNA REDDY, J.

Note: The Court Officer is directed to give attested copy of this order to the learned counsel for the petitioner.

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